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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/972,776 | 10/05/2001 | Valter Orlandini | 00-AG-036/GC | 4613 |

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EXAMINER

KIM, KEVIN

ART UNIT

PAPER NUMBER

2634

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/972,776

Applicant(s)

ORLANDINI, VALTER

Examiner

Kevin Y Kim

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-21 is/are rejected.
- 7) ☒ Claim(s) 1-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1-14-2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 1-18 are objected to because of the following informalities:

Claim 1.

On line 9, “a third low frequency signal” is recited, causing the reader to look “first and second low frequency signals” in the claim, which are not present. Apparently, applicant meant it to be “a third signal” as distinguished from “a first MLT3 signal” and “a second MLT3 signal.” To better define the invention, it is suggested that the words “low frequency” from “a third low frequency signal” be deleted. In addition, to provide a proper antecedent basis for “the input of the equalizer” on line 10, an insertion of -- at an input -- is suggested after “the first MLT signal” on line 5.

Claim 10.

Likewise, “a third low frequency signal” on line 6 should be changed to – a third signal— and –at an input -- is suggested to be added after “the first MLT signal” on line 2 for the same reasons as explained in connection with claim 1.

Claims 2-9 and 11-18 are objected as including the subject matter of claims 1 and 10 respectively.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Raghavan (US 6,414,003).

Claim 19.

Raghavan discloses a method of receiving a digital data (see Fig. 5), comprising the steps of:

- a) receiving a first MLT3 signal (x_k) and outputting a second MLT signal (a'_k).
- b) recovering the transmitted digital data contained in the second MLT signal, see Slicer 205 and col. 6, lines 66-67.
- c) providing feedbacks (see the feedback loop 211) to “up or down or not translate the second MLT3 signal according to the low or high or intermediate value of the second MLT signal.” Fig.3A and col. 7, line 48 – col. 10, line 20 in particular describes that, according to the low (-1), high (+1) or intermediate (0) value of the second MLT3 signal (a'_k), an error correction is fed back to up or down or not translate the second MLT3 signal.

Claim 20.

Raghavan describes the digital data transmission system is an Ethernet system. See col. 1, line 15.

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Claim 21.

Ragavan describes the digital data transmission system is a 100Mb/s digital data system.

See col.1, line 19.

Allowable Subject Matter

4. Claims 1-18, subject to correction as suggested in paragraph 1 above, are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter: No prior art has been found a MLT3 transmission system where base line wander is corrected by “a translation block” that translates (recovers) a received MLT3 signal, outputs low frequency components of the translated MLT3signal by low pass filtering the MLT3 signal and adds the low frequency components to the MLT3 signal.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Greiss et al (US 6,266,366) and Zortea (US 5,844,439) each describe a feedback base line wander correction.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Y Kim whose telephone number is 571-272-3039. The examiner can normally be reached on 8AM --5PM M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Heun Y. Lim

HEUN Y. LIM
PATENT EXAMINER